



Docket No. 50325-0111 (Seq. No. 1755)

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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|-------------------------------|---|------------------------|
| Issue Application of | : | Confirmation No.: 4734 |
| | : | |
| Clare Chu, et al. | : | Group Art Unit: 2664 |
| | : | |
| Serial No.: 09/629,044 | : | Examiner: Ajit Patel |
| | : | |
| Filed: July 31, 2000 | : | |
| | : | |
| For: METHOD AND APPARATUS FOR | : | |
| DETERMINING A MULTILAYER | : | |
| SWITCHING PATH | : | |

LETTER EXPLAINING DOUBLE PAYMENT OF ISSUE FEE

Hon. Commissioner for Patents
Mail Stop ISSUE FEE
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

On February 16, 2005, the Applicant submitted by regular U.S. Mail an Issue Fee Payment, check for \$1400, and a Rule 312 Amendment for the above patent application, however the Certificate of Mailing on the Issue Fee Payment Form was inadvertently left unsigned. Because the due date for paying the Issue Fee is February 17, 2005, this first Issue Fee payment may not be considered timely filed due to the lack of a completed Certificate of Mailing and the close proximity of the due date for paying the Issue Fee.

Therefore, Applicant is submitting herein on February 17, 2005 a second Issue Fee Payment, Issue Fee Payment Form, another check for \$1400, and the Rule 312 Amendment via Express Mail, and therefore, this second Issue Fee Payment is timely when compared to the due date of February 17, 2005.

While this second Issue Fee payment will likely be received by the Office prior to the first Issue Fee payment due to the use of Express Mail, the Applicant is providing this letter of explanation to help avoid any unnecessary confusion by the Office when processing the second Issue Fee Payment received by the Office.



The Applicant will file a Refund Request separately to request refund of the extra Issue Fee that has been paid.

Any questions regarding this matter may be addressed to the undersigned.

To the extent necessary to make this reply timely filed, the Applicant petitions for an extension of time under 37 C.F.R. § 1.136.

If any applicable fee is missing or insufficient, throughout the pendency of this application, the Commissioner is hereby authorized to any applicable fees and to credit any overpayments to our Deposit Account No. 50-1302.

Respectfully submitted,

HICKMAN PALERMO TRUONG & BECKER LLP

Craig G. Holmes
Reg. No. 44,770

Date: February 17, 2005

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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail in an envelope addressed to: Hon. Commissioner for Patents, Mail Stop ISSUE FEE, P.O. Box 1450, Alexandria, VA 22313-1450

on 2/17/05 by Lacey Reynolds